

RESOLUTION NO. 2009-59

A RESOLUTION, denying proposed Comprehensive Plan Amendment 2009-03.

WHEREAS, the Wenatchee Planning Commission, after duly publicized public hearing on August 19, 2009, which was continued to August 25, 2009, has made certain recommendations to the City Council as to the amendment of the Wenatchee Urban Area Comprehensive Plan as required by RCW 35A.63; and

WHEREAS, pursuant to RCW 35A.63.072 and WCC 10.05.020, within sixty (60) days from the receipt of the recommendations for amendment of the Comprehensive Plan the City Council fixed the 24th day of September, 2009, as a public meeting date to consider the recommendations of the Planning Commission; and

WHEREAS, the Wenatchee Planning Commission has recommended the following items for denial:

- a. CPA 2009-03 – Michael Poirier. An application to change the land use designation of Mr. Poirier's property and four adjacent properties along Red Apple Road from Residential Single Family (RS) to Residential Moderate (RM). The subject properties are west of the irrigation canal and north of Red Apple Road, in the 1300 Block.

WHEREAS, the Wenatchee City Council having considered such recommendations of the Wenatchee Planning Commission and in support hereof makes the following findings of fact and conclusions with respect to proposed Comprehensive Plan Amendment 2009-03:

Findings of Fact:

1. A complete application was submitted for the property-specific proposal in accordance with Zoning Title 10 and Development Code Administration Title 13, by this year's March 24, 2009 deadline.

2. Appropriate notice of application and public hearing was sent in accordance with Wenatchee City Code, Zoning Title 10 and Development Code Administration Title 13.
3. A SEPA Checklist has been submitted with the application.
4. In accordance with the Comprehensive Plan "Plan Procedures" all proposed Plan amendments in the 2009 year have been considered concurrently so that the cumulative effect of the various proposals can be determined.
5. Wenatchee Planning Commission is empowered by Wenatchee City Code (WCC), Zoning Title 10 and Development Code Administration Title 13 to hear proposed Comprehensive Plan amendments and forward recommendations to the Wenatchee City Council.
6. The subject proposal is not consistent with the Wenatchee Urban Comprehensive Plan.
7. Consistent with the Chelan County County-wide planning policies, Skyline Drive provides the consistent linear boundary of the Urban Growth Area.
8. Pertaining to CPA 2009-03, the irrigation canal provides a natural barrier between the RM and RS zoning districts as well as creates a continuity of neighborhood within the specific zoning district.
9. Written testimony was received in opposition to CPA 2009-03 from the following citizens:
 - a. Denise and Lester Smith
 - b. Dale O'Neal
 - c. Douglas Stewart
 - d. Mike and Julie Hughes
 - e. Howard and Dianne Mahugh
 - f. Frank and Sally (Sarah) Burgess
10. Public testimony was received during the public hearing from Mike Hughs, Doug Stewart, Ken Badgley, Denise Smith, Leonardo Enciso, Erik Bakke, Dale O'Neal, and Dave Prosch in opposition to CPA 2009-03. Issues cited included but were not limited to:
 - a. Traffic levels above road capabilities – volume and speeding.
 - b. Road not developed at a standard capable of handling increased traffic – too narrow.
 - c. Site distance issues with accident history.
 - d. Too close to a school.

- e. Irrigation canal a natural barrier between RS and RM zoning districts and associated densities.
 - f. Conflicts between pedestrians, bicycles and vehicles.
 - g. Drainage and runoff issues.
 - h. Lower property values.
11. The Planning Commission held a duly advertised public hearing on August 19, 2009, and continued to August 25, 2009, to accept public testimony and review the 2009 proposed Comprehensive Plan Amendments.
 12. The Planning Commission on September 10, 2009, forwarded their recommendations to the Wenatchee City Council consistent with Section 13.09.060 WCC.
 13. Wenatchee City Council on September 10, 2009, did set a public meeting to review the Planning Commission's recommendations on September 24, 2009.

Conclusions:

1. The proposed action does not demonstrate consistency with the procedural requirements of WCC, Title 10 Zoning, Title 12 Environmental Protection, and Title 13 Development Code Administration.
2. The proposed amendment does not demonstrate consistency with the Wenatchee Urban Area Comprehensive Plan and does not provide for the continued efficient and financial viability of public facilities concurrent with increased demands.
3. With respect to the State Environmental Policy Act of 1971, as amended, an evaluation of the environmental implication of the proposed Comprehensive Plan amendments has been done. The evaluation resulted in a declaration of environmental non-significance and adoption of existing environmental document being entered for the proposed actions on June 18, 2009.
4. Pertaining to CPA 2009-03 – Based upon the application materials, testimony, and facts of the application, the proposal is not consistent with the City of Wenatchee Comprehensive Plan Goals and Policies.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF WENATCHEE, AS FOLLOWS:

SECTION I

The proposed Comprehensive Plan Amendment 2009-03 shall be and hereby is
denied.

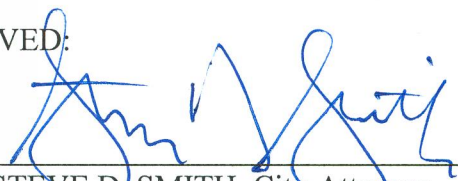
PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE at a
regular meeting thereof this 24th day of September, 2009.

CITY OF WENATCHEE, a Municipal Corporation

By: 
DENNIS JOHNSON, Mayor

ATTEST:

By: 
BRENDA GUSKE, City Clerk

APPROVED:
By: 
STEVE D. SMITH, City Attorney